

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Wayne Cameron,

Plaintiff

V.

County of Clark Nevada, et al.,

Defendant

Case No.: 2:16-cv-01355-JAD-PAL

Order setting a hearing regarding pre-service discovery and directing LVMPD to produce Cameron and enter a limited appearance

Pro se plaintiff Wayne Cameron is currently being held in pre-trial detention at the Clark County Detention Center (CCDC), which is operated by the Las Vegas Metropolitan Police Department (LVMPD). Cameron sues several unnamed LVMPD employees who allegedly denied or ignored his multiple requests to have his dentures repaired or replaced after they were broken in early 2016 while Cameron was in custody. Because the identities of these defendants are unknown, I have issued several pre-service discovery orders directing LVMPD to provide Cameron copies of any grievances, kites, or inquiries he submitted regarding his dentures and to identify the employees who reviewed or handled these grievances.¹

LVMPD's submissions have not been responsive to these directives, so I instructed it to file either of the following items by December 12, 2018:

- A notice that it has provided Cameron (1) copies of all grievances, kites, or inquiries regarding his dentures that he has filed or submitted since February 2016; (2) all written responses by CCDC; and (3) the full names of the CCDC employees who reviewed or handled these grievances. The notice must attach copies of any document provided to Cameron.

¹ ECF Nos. 27, 29, 33.

- A declaration from an appropriate LVMPD official that (1) attests that CCDC has no record of Cameron *filing or submitting* grievances, kites, or inquiries regarding his dentures since February 2016, and (2) explains whether CCDC has a policy of destroying inmate grievances, kites, or inquiries after any period of time.²

I also warned LVMPD that its “failure to strictly comply with this instruction may result in sanctions.”³

Nonetheless, LVMPD submitted its response eight days late, without seeking an extension of time and without acknowledging its untimeliness.⁴ And the filing is not responsive to my instructions. LVMPD asserts that it has provided Cameron with “copies of all grievances, kites, or inquiries regarding his dentures,” which it attached to its filing.⁵ But the only “Inmate Request/Grievance” form that LVMPD provides is Cameron’s request in mid-2017 for copies of all of his requests and grievances regarding his dentures—which LVMPD has also submitted with prior filings.⁶ The remaining attachments consist of Cameron’s medical files, including a mid-2016 post-exam report that notes that Cameron’s dentures were broken.⁷ LVMPD argues that this document “indicates” that medical “officials did not receive any complaint or indication that [the dentures] needed replacement.”⁸ I fail to see how acknowledgment of broken dentures in a medical-exam report does not convey that the dentures needed replacement. But more

² ECF No. 33 at 4.

³ *Id.*

⁴ ECF No. 36 (response to order at ECF No. 33 filed December 20, 2018).

⁵ *Id.* at 1.

⁶ ECF No. 36-1.

⁷ ECF No. 36-2 at 7.

⁸ ECF No. 36 at 1.

1 importantly, if it is LVMPD's position that Cameron has not submitted any grievances, kites, or
2 inquiries regarding his dentures—other than his request for his prior grievances—then LVMPD
3 should have submitted a declaration from an official attesting to this fact—as I clearly instructed
4 in my last order.

5 Because LVMPD has demonstrated that it is either unable or unwilling to comply with
6 my written orders in this case, I find it necessary to hold a hearing regarding pre-service
7 discovery and to therefore order LVMPD to make a limited appearance and to produce Cameron
8 for this hearing. Accordingly,

9 IT IS THEREFORE ORDERED that LVMPD **must transport and produce Wayne**
10 **Cameron**, inmate # 0797388, to the Lloyd D. George Courthouse, 333 Las Vegas Blvd. S., Las
11 Vegas, NV 89101, **Courtroom 6D**, on **Wednesday, February 20, 2019, at 10:00 A.M.**
12 **LVMPD must make a limited appearance** at the hearing on this date and time to address these
13 issues.

14 Dated: January 29, 2019

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16 U.S. District Judge Jennifer A. Dorsey
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